

REMARKS

Restriction Requirement

The Office Action dated October 7, 2005 included a restriction/election requirement set forth as follows:

Group 1: Claims 1-6 and 16, allegedly drawn to a pharmaceutical composition and a kit containing said pharmaceutical composition, wherein said pharmaceutical composition comprises: an arginine source; a proanthocyanidin; and a hormone. The aforementioned pharmaceutical composition is classified in class 514, subclass 731.

Group 2: Claims 7-15, allegedly drawn to a method of using a pharmaceutical composition for the treatment of erectile dysfunction, as classified in class 514, subclass 169.

In response, Applicants respectfully elects, with traverse, the claims of **Group II (Claims 7-15)**. The traversal is for the following reasons.

First, the two groups of claims are related as a composition and a method of using the composition. It would not be an undue burden for both sets of claims to be examined together.

Second, Group 2 has been mischaracterized in the above Office Action as being a method for the treatment of “erectile dysfunction”. The term “erectile dysfunction” does not appear in Group 2 claims. Applicants respectfully request the withdrawal of the restriction requirement in view of the mischaracterization.

CONCLUSION

Applicants maintain that the restriction requirement is improper because it would not be an undue burden to examine all the claims.

Favorable action on the merits is respectfully requested. If there are any questions regarding this Response, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Applicants believe no additional fees are due with the filing of this Response. However, if any additional fees are required or if any funds are due, the USPTO is authorized to charge or credit Deposit Account Number: **50-0311**, Customer Number: **35437**, Reference Number: **27990-504**.

Respectfully submitted,



Marvin S. Gittes, 24,350
Eric Sinn, Reg. No. 40,177
Attorneys for Applicants
MINTZ, LEVIN, COHN, FERRIS, et al.
666 Third Avenue, 24th Floor
New York, NY 10017
Phone: (212) 935-3000
Fax: (212) 983-3115

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